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Date September 17, 2003 Pages including cover 11

Subject Response to Notice of Non-compliant Amendment

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Re: Application of Seema ISLAM et al.
U.S. Serial No.: 09/868,666; Filed: November 28, 2001
Title: *Production of Proteins*
Attorney Docket No. PG3635USw

Attached:

1. Transmittal Form with Certificate of Transmission by Facsimile (37 CFR 1.8)
2. Response (9 pages)

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| | | |
|--|------------------------|--------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/868,666 |
| | Filing Date | November 28, 2001 |
| | First Named Inventor | Seema Islam |
| | Art Unit | 1644 |
| | Examiner Name | Saunders, David A. |
| Total Number of Pages In This Submission | Attorney Docket Number | PG3635USw |

| ENCLOSURES <i>(check all that apply)</i> | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.63 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> |
| Remarks Applicants believe that no fee is required for this submission. However, the Commissioner is hereby authorized to charge any fees required or credit any overpayment to Deposit Account No. 07-1392. | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Virginia C. Bennett Registration No. 37,092 Telephone: (919)483-1012 | |
| Signature | <i>Virginia C. Bennett</i> | |
| Date | 17 Sept. 03 | |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|-----------------------------|--------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | |
| Typed or printed name | Marjorie J. Pfeiffer | |
| Signature | <i>Marjorie J. Pfeiffer</i> | Date |
| | | September 17, 2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PG3635USW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Seema ISLAM et al.

Serial No.: 09/868,666

Group Art Unit: 1644

Filed: November 28, 2001

Examiner: Saunders, David A.

For: *Production of Proteins*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

The present submission is in response to the Notice of Non-Compliant Amendment (Voluntary Revised Practice) dated 29 August 2003. Please substitute the present submission in place of applicants' Amendment and Response submitted 22 August 2003.

The Notice of Non-Compliant Amendment states that a complete listing of all the claims was not present in the 22 August Amendment. Applicants provide herewith a complete listing of all claims, including claims 1-12 that were inadvertently omitted from the 22 August Amendment. Other than the inclusion of claims 1-12, the present Amendment and Response does not differ substantively from the 22 August submission.

Please amend and reconsider the instant application in view of the present submission.

- **Amendments to the claims** are reflected in the list of claims that begins on Page 2.
- **Remarks** begin on page 5 of this submission.